

REMARKS

In accordance with the foregoing, claim 4 has been amended. Claims 1-4 are pending and under consideration.

Claims 1-4 are rejected under 35 USC § 112, second paragraph for indefiniteness. Claim 4 is being amended to change "hook-like" to --hook-shaped--. However, no changes have been made for claims 1-3. The term "hook-like" is used and defined in the specification. In addition, the drawings provide examples of hook-like projections. Webster's dictionary defines "hook" as a curved or bent implement for catching, holding, sustaining or pulling anything. It is submitted that one of ordinary skill in the art could readily determine whether something is hook-like. Withdrawal of the rejection is respectfully requested.

Claims 1, 3 and 4 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 1,557,066 to Krantz. Krantz discloses a box structure formed of a single sheet-metal part. To connect side walls 6 to end walls 5, each side wall 6 has a rectangular opening 9 in a rear corner region thereof. Each rectangular opening is provided in an offset portion 8. Each end wall 5 has a flange member 14 with a tongue 16. The tongues 16 are punched inwardly. The flange members 14 are folded on dotted lines 15. When the end walls 5 are swung into position, the end surfaces of tongues 16 engage with the rectangular openings 9 provided in the offset portions 8.

Tongues 16 are different from hook-like (or hook shaped) extensions. Krantz does not disclose or suggest hook-like (or hook shaped) projections, as claimed. The end surfaces of tongue 16 engage with the outer walls of openings 9. However, tongues 16 do not snap into cutouts, as claimed. The hook-shape gives the mechanical connection more stability because the rear wall and side walls are hooked together. Manufacturing is simple. There is no necessity to form offset/depressed portions 8, as are used in Krantz. This would require a complicated tool, such as an embossing press.

In addition to the above, independent claim 4 has been amended to recite a slit. The rectangular openings 9 of Krantz are not slits. Independent claim 4 has further been amended to recite that the hook shaped extensions are provided on an angled portion, which extends across the rear wall to each of the side walls. In Krantz, there is no such angled portion. Additionally, independent claim 4 has been amended to further define the hook shaped, which are not suggested in Krantz.

Claims 1-4 are rejected under USC § 103(a) as obvious over U.S. Patent No. 3,093,291

to Brandle. Brandle discloses a container fabricated from paper board. The Examiner cites elements 21 as corresponding to the "extensions." However, it is easy to see from Figs. 1-4 of Brandle that flap 21 does not have a hook shape and is not hook-like. Further, the flap 21 does not "snap" into a cutout. To the contrary, column 2, lines 24 and 25 of Brandle states "so that flap 21 is tucked into slot 18." See Figs. 5 and 6. This is a structural difference, not a question of the material used. In addition to the structural differences, the Brandle container is formed of paperboard, not sheet metal, as claimed.

For the above reasons, it is submitted that the prior art rejection should be withdrawn. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Oct 14 2004

By: Mark J. Henry
Mark J. Henry
Registration No. 36,162

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on Oct 14, 2004
By: STAAS & HALSEY
Date: 10-14-04